

RESOLUTION 2021 – 77

**A RESOLUTION TO AMEND FIRE
RESTRICTIONS**

WHEREAS, this Resolution is issued in compliance with Section 7-33-2212 of the Montana Code Annotated and supersedes prior County resolutions 2021-57, 2021-64, and 2021-66;

WHEREAS, the wildfire risk indicators such as moisture and temperature, as well as national and regional resource availability have improved, and

WHEREAS, while heightened restrictions may still be in force on surrounding State and Federal lands.

NOW, THEREFORE BE IT RESOLVED that, at the request of the Lewis & Clark County Fire Warden, pursuant to 7-33-2212 MCA, the Board of Commissioners rescind Resolution 2021-66 which established Stage II fire restrictions and return to Stage I restrictions east of the Continental Divide as outlined below.

BE IT FURTHER RESOLVED, that the following acts remain prohibited within Lewis and Clark County on private and public property east of the Continental Divide until further notice:

1. Building, maintaining, attending, or using a fire or campfire unless noted in the exemptions below.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

BE IT FURTHER RESOLVED, that the following is a list of exemptions:

- a. Campfires on private or public property only if they are within an improved fire ring or pit made of solid metal, stone, or cement and no larger than 48 inches across.
- b. Persons with a written permit that specifically authorizes the otherwise prohibited act.
- c. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off.
- d. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
- e. Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty.
- f. All land within a City boundary is exempted.
- g. Other exemptions unique to each agency/tribe.

IT IS FURTHER RESOLVED, that this resolution becomes effective Wednesday, September 1, 2021 at 12:01am, and shall remain in effect until such time as it is amended or rescinded by the Board of County Commissioners.



Dated this _____ day of August 31, 2021.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chair

ATTEST:



Amy Reeves, Clerk of the Board